IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.3721 OF 1991

M/s. Rose Builders .. Plaintiffs

Vs.

Selwin Raymond Dias & Ors. .. Defendant

Isllac Gonsalves, Partner of
Plaintiff present.
None for Defendant.

CORAM: S.K. SHAH, J.

DATE : 20th July, 2006.

P.C.

This suit is for specific performance of the agreement for sale dated 23-10-1987. The defendant No. 1 is undefended and Defendant No. 2 and 3 have not filed their written statement though they were served. The averments made in the plaint are supported by the documents produced by the plaintiff. As such the suit is decreed in view of the provisions under Order VIII Rule 10 of CPC. Learned counsel for the Plaintiff states that entire consideration under the suit agreement has been paid. Hence the decree be drawn in terms of prayer clause (b), (c) and (i). The original documents be returned on usual undertaking.

(S. K. SHAH, J)